

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Houtzager et al.

Serial No.: 09/882,621

Filed: June 15, 2001

For: CHIMAERIC PHAGES

Examiner: To be assigned

Group Art Unit: 1642

Attorney Docket No.: 4957US

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label
Number: EL740546972US

Date of Deposit with USPS: November 21, 2001

Person making Deposit: Blake Johnson

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Attention: Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

In connection with the above-referenced patent application, enclosed is a copy of the Notice to File Missing Parts of Nonprovisional Application, and Check No. 1416 in the amount of \$65.00 for the surcharge, along with a Declaration and Power of Attorney Patent Application, Amendment with version with markings to show changes made (10 pages); Statement under 37 C.F.R. §§ 1.821(f); Paper copy of sequence listing; CRF copy of sequence listing, Transmittal of Formal Drawings with 10 sheets, 10 total figures; and Abstract.

Applicant includes herewith a Petition for Extension of Time for a two month extension of time. The Petition is accompanied by a check to cover the cost of this two month extension.

Checks in the amounts of \$65.00 and \$200.00 are enclosed in payment of all required fees.

If the amount of the checks are insufficient, please debit Deposit Account No. 20-1469 for the remainder of the fee. If the amount is in excess of that required, please credit that deposit account.

Respectfully submitted,



Allen C. Turner
Registration No. 33,041
Attorney for Applicants
TRASKBRITT
P. O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: (801) 532-1922

Date: November 21, 2001

ACT/le

Enclosures: Copy of Notice To File Missing Parts of Nonprovisional Application
Check No. 1416 in the amount of \$65.00
Declaration
Amendment with version with markings to show changes made (10 pages)
Statement under 37 C.F.R. §§ 1.821(f)
Paper copy of sequence listing
CRF copy of sequence listing
Transmittal of Formal Drawings with 10 sheets, 10 total figures
Petition for extension of time
Check No. ~~1425~~ in the amount of \$200.00
Abstract

CERTIFICATE OF MAILING (under 37 C.F.R. 1.10 if checked)

I hereby certify that this transmittal along with all items checked below is being deposited with the United States Postal Service

- ☐ as first class mail, postage prepaid (37 C.F.R. 1.8)
☒ "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10
Express mail label mailing number: EL740546972

on the date inserted below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Blake Johnson
Typed name of person mailing transmittal

November 21, 2001
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: **To be assigned**

Group Art Unit No.: **1642**

Applicant(s): **Houtzager et al.**

Filing date: **June 15, 2001**

Serial No.: **09/882,621**

For (title): **CHIMAERIC PHAGES**

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.136(a), an extension of time is requested as marked below:

ACTION FOR WHICH EXTENSION IS REQUESTED

- ☐ Response to non-final office action mailed
(timely and complete response not previously filed).
☐ Response to final office action mailed
(application not placed in a condition for allowance by a previous timely filed response).
☐ Filing of Appellant's brief, notice of appeal dated .
☐ Filing of a continuing application having an express abandonment of this application conditioned on the granting of a filing date to the continuing application.
☒ Response to notice to file missing parts of nonprovisional application.

EXTENSION REQUEST PERIOD AND FEE CALCULATION

- ☒ The period for taking the above-identified action without extension fees expired on **10/17/01**.
☐ The period for taking the above-identified action has previously been extended (by the payment of the appropriate extension fee) to

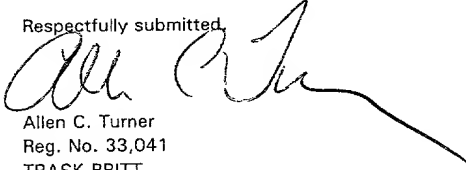
The requested extension period (and associated fee) is:

- | | |
|---|---|
| <input type="checkbox"/> One month
§ 1.17(a) | <input type="checkbox"/> \$ 55.00 - small entity* |
| | <input type="checkbox"/> \$ 110.00 |
| <input checked="" type="checkbox"/> Two months
§ 1.17(b) | <input checked="" type="checkbox"/> \$ 200.00 - small entity* |
| | <input type="checkbox"/> \$ 400.00 |
| <input type="checkbox"/> Three months
§ 1.17(c) | <input type="checkbox"/> \$ 460.00 - small entity* |
| | <input type="checkbox"/> \$ 920.00 |
| <input type="checkbox"/> Four months
§ 1.17(d) | <input type="checkbox"/> \$ 720.00 - small entity* |
| | <input type="checkbox"/> \$ 1,440.00 |

Comments:

- ☐ *Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.
☒ *A verified statement to establish small entity status under 37 C.F.R. § 1.9 and § 1.27 is enclosed.
☒ Any additional patent application processing fees under 37 C.F.R. § 1.17 which may be due should be charged to deposit account no. 20-1469. A duplicate copy of this petition is enclosed.

Respectfully submitted,


Allen C. Turner
Reg. No. 33,041
TRASK BRITT
P.O. Box 2550
Salt Lake City, UT 84110-2550
(801) 532-1922

Date: November 21, 2001

Enclosures: Postcard, Check no. 1469 for \$200,
Duplicate copy of this petition

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

CONFIRMATION NO. 8472

FORMALITIES LETTER



OC000000006439172

Date Mailed: 08/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604

(September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE